



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Jacob K. Javits Federal Building  
26 Federal Plaza, 37th Floor  
New York, New York 10278


October 16, 2024

The Honorable Jennifer L. Rochon  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Letter Motion GRANTED. The Government's time to submit its sentencing submission is extended until October 17, 2024.

SO ORDERED.

Dated: October 16, 2024  
New York, New York

  
JENNIFER L. ROCHON  
United States District Judge

Re: ***United States v. David Brend and Gustavo Rodriguez,***  
**22 Cr. 551 (JLR)**

Dear Judge Rochon:

The Government writes respectfully to request a very short extension of time in which to submit its sentencing memorandum for defendants David Brend and Gustavo Rodriguez, each of whom was convicted at a joint trial.

As the Court knows, Rodriguez is currently scheduled to be sentenced on Tuesday, October 22, 2024. Accordingly, Rodriguez's sentencing memorandum was due on Tuesday, October 8, 2024, and the Government's response was due yesterday, on Tuesday, October 15, 2024. Rodriguez submitted his sentencing letter two days late, on Thursday, October 10, 2024, and, in doing so, "consent[ed] to the government filing its sentencing submission two days late"—i.e., on October 17, 2024—"as well." (Docket Entry 288).

Brend is currently scheduled to be sentenced on Wednesday, October 23, 2024. Accordingly, Brend's sentencing memorandum was due on Wednesday, October 9, 2024, and the Government's response is due today, Wednesday, October 16, 2024. Brend timely filed his sentencing memorandum. (Docket Entry 287).

As a matter of efficiency, the Government currently plans on submitting one memorandum to address sentencing for both Brend and Rodriguez. However, in order to have time to properly digest Brend's sentencing memorandum, Rodriguez's sentencing letter, this Court's recent opinion denying Brend's Rule 29 and 33 motions, a recent victim impact statement that will likely factor into the Government's memorandum, and provide a memorandum to the Court that addresses all the outstanding issues, the Government respectfully requests that the Court permit it to submit sentencing memoranda (or a single sentencing memorandum) for both Brend and Rodriguez tomorrow.

Hon Jennifer L. Rochon  
October 16, 2024  
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Please do not hesitate to contact us with any questions.

Respectfully submitted,

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